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HUMAN RIGHTS COMMITTEE
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List of issues prepared to be taken up in connection with the consideration of the initial report of Moldova (CCPR/C/MDA/2000/1)

Article 1 (Self-determination)

1. Please provide up-to-date information on progress towards further devolution of responsibilities to the Transnistrian region.

Implementation of the Covenant (art. 2)

2. Please provide information on the status of the Covenant in domestic jurisdiction. Can the Covenant be directly invoked before the courts in Moldova? If so, have there been any recent examples? Please give details of relevant cases, if any.

3. According to the report "the state ensures the right of everybody to know his/her rights and duties" (para. 454). How is this statement implemented in practice? What measures are taken to disseminate information to individuals under the State party's jurisdiction about their rights under the Covenant?

4. Please provide further information on the role of the "parliamentary advocates" or ombudsmen (paras. 110 and 283 of the report) in implementing Covenant rights in Moldova.

5. Is Moldova considering ratification of the first Optional Protocol to the Covenant?

Equality of the sexes, non-discrimination and rights of minorities (arts. 3, 26 and 27)

6. Please indicate what measures are being taken, in law and in practice, to raise the low representation of women in Parliament (currently 9 per cent according to paragraph 112 of the report), as well as in senior positions in the public and private sector. Please provide up-to-date statistics.

7. The report addresses the implementation of the prohibition of discrimination against women by reference to existing legislation (para. 106). Please indicate how this right is guaranteed and implemented in practice, for example in respect of the principle that women should receive equal pay for work of equal value.

8. What steps are being taken to combat domestic violence against women?

9. Please explain how the difference in the minimum age for marriage for men (18 years) and for women (16 years) is considered compatible with article 3 of the Covenant. What are the "exceptional cases" pursuant to which women may marry at the age of 14 and how often is this clause invoked in practice (para. 622)?

10. What measures are being taken to secure the rights of ethnic and linguistic minorities in Moldova? Please provide up-to-date information on their occupation of senior positions in the public and private sectors. How are these rights of the linguistic minority protected in Transnistria?

Prevention of torture (art. 7)

11. The report acknowledges that law enforcement officers are not trained adequately so as to avoid degrading treatment of detainees (para. 190) and that penitentiary personnel sometimes exceed their authority through abusive resort to force (para. 293). What practical measures are envisaged or are being taken to address inadequacies in training of penitentiary personnel and to prevent abuse of power by law enforcement officers? How many law enforcement officers have been prosecuted or disciplined on this account in the past five years? Please elaborate on the elements of the strategy to combat violence and intimidation among convicts that is under elaboration (para. 294).

Rights of persons deprived of their liberty (art. 10)

12. According to paragraph 282 of the report, conditions of detention in police stations and in temporary solitary confinement do not comply with international norms. Please indicate what steps are being taken to rectify this situation and bring it into line with article 10 of the Covenant.

Prohibition of slavery or forced or compulsory labour (art. 8)

13. Please provide information on legislation to combat trafficking in persons. What practical measures are being taken to prevent trafficking in women and children (paras. 114, 115 and 206)?

Fair trial and the independence of the judiciary (art. 14)

14. Does article 1 of Law No. 514-XIII of 6 July 1995 on the judicial system (para. 357 of the report) guarantee security of tenure? Who has the power to appoint and dismiss judges? Please comment on allegations of interference with the independence and impartiality of the judiciary by State officials. Are those responsible for such interference prosecuted and/or disciplined?

Freedom of religion or belief (art. 18)

15. What is being done to facilitate the recognition of religious communities in Transnistria and what is being done to facilitate the ability of religious communities to assemble in peace and without arbitrary interference in Transnistria?

16. Please explain how the State party's treatment of the Bessarabian Orthodox Church (para. 508) can be considered compatible with article 18 of the Covenant.

Freedom of expression (art. 19)

17. The report states that the public media shall not be submitted to any censorship (para. 516). Please indicate what measures are being taken to guarantee this freedom, through relevant legislation and in practice.

Freedom of association and the right to form trade unions (art. 22)

18. The report notes, in paragraph 586, that trade unions in Moldova are largely inactive ("are in a state of lethargy"). Please provide information on what actions have been taken, or are envisaged, to ensure respect for the right to freedom of association and to facilitate the activity of existing trade unions.

Rights of children (art. 24)

19. Please provide information and statistics on access of Moldovan boys and girls to higher education; access to higher education for students from disadvantaged families; and distribution by sex of students in institutions of higher education.

20. The report acknowledges difficulties of an economic character in the operation of certain institutions for children (para. 687) and notes that the period of transition has led to situations which have affected the conditions of children in a negative way (para. 774). Please provide more precise information on the problems Moldova is facing in this context and on measures being taken to address the situation.

21. According to the report, rampant poverty has led some families to use their children for "anti-social activities", such as prostitution, theft and begging (para. 416). Please indicate what measures are being taken to address and reduce this phenomenon.

Right to participate in public affairs (art. 25)

22. How is the requirement of fluency in the Moldovan language as a criterion for access to public service (para. 826) considered compatible with article 25 of the Covenant? What effect does this requirement have in practice on the participation of linguistic minorities in public life?

23. Please explain further the requirements for the creation of a political party (paragraph 593: geographical distribution and representation requirement). Does the geographical representation requirement have negative consequences for certain parts of the population? Can it be used to refuse the registration of a political party? What are the criteria pursuant to which the Ministry of Justice may register the statute of a political party and other social and political organizations?

Dissemination of information relating to the Covenant (art. 2)

24. What measures were taken to disseminate the contents of the report?

25. Do programmes exist for the training of members of the judiciary, law enforcement officers and other public officials about the provisions of the Covenant and their application? If not, are such programmes envisaged?

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